

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA, )  
                                  )  
Plaintiff,                    )  
                                  )  
vs.                            )  
                                  )  
**JOHN F. McCaul, JR.,        )  
                                  )  
Defendant.                    )****

**8:06CR122**

**TRIAL ORDER**

The defendant has filed a Motion to Continue Trial [15]. The trial date was set a month ago, the motion is untimely, and the motion does not explain why counsel need additional time to prepare for trial. Notwithstanding the defendant's waiver of speedy trial [14],

**IT IS ORDERED** that defendant's motion to continue trial [15] is denied. Pursuant to NECrimR 57.2, a party may appeal this order by filing a "Statement of Appeal of Magistrate Judge's Order."

**DATED July 7, 2006.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**